



# Middle Arkansas Newsletter

## Upcoming Events

### February 10

GMD No. 5 Model TAC meeting  
via conference call (785) 296-3705

### February 19

GMD No. 5 Annual Board Meeting  
Stafford, KS

### February 25

Upper Arkansas BAC 1pm Jetmore, KS

### March 12

GMD No. 5 Board Meeting,  
Stafford KS

### March 24

Kansas Rural Water Association  
Conference Wichita, KS

### March 26

Water and the Future of Kansas  
Conference

### April 9

GMD No. 5 Board Meeting,  
Stafford, KS

### May 6-8

3 I Show, Garden City, KS

## Subbasin Water Resource Management Program

### Kansas Water Plan

*Courtesy of Kansas Water Office*

For 25 years, the *Kansas Water Plan* has been the tool that has allowed the public and local, state and federal water professionals coordinate and identify the water problems and issues that our state must address. The Kansas Water Authority (KWA) and Kansas Water Office are proud to release a comprehensive update of the *Kansas Water Plan* that has been in the works over the last year.

A major focus of the update has been on the water resource needs in the state's 12-River basins. Members of the states 12-basin advisory committees helped frame the priority issues in their basins. They identified issues that need to be addressed. The various priorities reflect the basins' climatic, physiographic and demographic conditions. The basin priority issues and the complete plan are posted on the Kansas Water Office website [www.kwo.org](http://www.kwo.org).

The *Kansas Water Plan* is organized into three volumes. Volume one overviews the water planning process and purpose and highlights a history of water planning and the physiographic characterization of Kansas. Volume two covers statewide water management, policies and objectives. Volume three covers the 12 basin sections and their priority issues and includes maps describing the resource conditions for each basin.

With the *Kansas Water Plan* as a framework, water resource professionals propose projects to address the specific region's circumstances. While work on all aspects of water resource management is ongoing, certain projects, because of their urgency, move to the forefront. This year, the focus continues in the federal reservoirs and on the conservation of the High Plains aquifer. The reservoirs are the source of water for two-thirds of the state's population; the aquifer continues to fuel the changing economy of western Kansas.

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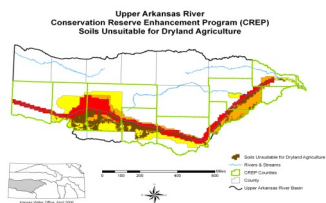
*Kansas Water Plan update 2009* is the product of a collaborative process that brought together the Kansas Water Office, Kansas Department of Agriculture, Division of Water Resources, Kansas Department of Wildlife and Parks, Basin Advisory Committee members representing urban, agricultural and environmental interest, and other interested stakeholders. The result is a plan that includes the very best ideas for meeting our water challenges.

The conclusion of this water plan is clear: Kansans can meet their water demands into the future by making the right choices and investments. The KWA provide final comment and consideration for the *Kansas Water Plan 2009 Update* at their January 2009 meeting.

# Middle Arkansas Newsletter

## Executive Summary: CREP

By Steve Frost, State Conservation Commission



**CREP targeted area of the Upper Arkansas River basin.**

The Upper Arkansas River Conservation Reserve Enhancement Program (CREP) is an innovative water management project that has been in development for many years. It was approved by the Kansas Legislature in 2008 as a cost-leveraging mechanism to facilitate permanent water right retirement and long-term water conservation in an arid part of Kansas.

The damage award Kansas received as a result of *Kansas v. Colorado* provided the statutorily protected basis for the five-year investment in the program. The primary beneficiaries are the producers and residents in the area who have suffered historic water and economic deprivations from Colorado, but there are also water supply benefits enjoyed by all the people of Kansas.

Since its official initiation just one brief year ago, 16,479 acre-feet of annual water right authorization has already been permanently retired. That amount alone is sufficient to meet the annual needs of Arkansas River Basin communities like Garden City and Dodge City well into the future. An additional 8,198 acres of associated erodible land are now enrolled in the CRP with USDA's Farm Services Agency, the state's chief partner agency in this landmark effort.

*Continued on page 3*

**“Since official initiation just one year ago 16,479 acre-feet has been permanently retired”**

## Executive Summary: WTAP

By Steve Frost, State Conservation Commission

The Water Right Transition Assistance Pilot Project Program (WTAP) was authorized by the 2006 Legislature as a five-year pilot project. The purposes of this unique, innovative program are:

1. To reduce the consumptive use of water in targeted, high-priority areas by issuing financial grants for the voluntary, permanent dismissal of privately held water rights; and
2. To evaluate the results of the pilot project and to develop a viable model for the beneficial implementation of a long-term water right retirement program.

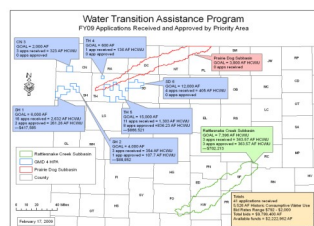
By 2007, the State Conservation Commission had developed the project's logistical framework, approved formal administrative regulations for implementing the program, and completed the legally required public notice and public meeting requirements stipulated by the enabling legislation.

Public and stakeholder input was solicited and duly incorporated during this period.

In spite of extensive advertisement during the first enrollment period in fall 2007, only four applications were received within the two legislatively designated hydrologic target areas, the Rattlesnake Creek and the Prairie Dog Creek basin area. Of those applications, only one was determined to be technically eligible under the program rules; it was fully approved at \$83,028-225 acre-feet of annual appropriation authorization was permanently retired in the Rattlesnake Creek subbasin.

In spring 2008, SCC subsequently set out to refine the program parameters in order to gain more producer interest and participation. After again receiving considerable dialogue and input from stakeholder groups, SCC revised the program rules to incorporate five basic improvements:

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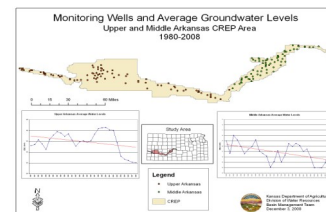
**WTAP targeted areas and the applications received and approved.**

## Executive Summary: CREP (continued)

In addition to the federal government, multiple state and local agencies and private associations are integrally involved in the effort to obtain even more productive, sustainable results over a very broad spectrum of natural resource needs. Special concerns such as permanent re-vegetation of the fragile sand hill areas of southwest Kansas are a good example of the critical issues capable of being addressed by this project.

As of December 31, 2008, a total of 496,670.66 has been expended by the State Conservation Commission for the state upfront payments in 50 separate contracts to producers who have been approved and enrolled in the CREP program. Based on these 50 contracts alone, producers will receive approximately \$14.5 million in additional direct payments from the Farm Service Agency over the 14– to 15-year contract period for CREP enrollment.

The Kansas Legislature has currently authorized the program to a capacity of 40,000 total acres over the five-year life of the enrollment period. The state's official memorandum of agreement with USDA currently provides for a cooperative enrollment of up to 20,000 acres with special restric-



**Upper Arkansas CREP monitoring network and average groundwater level in 2008.**

## Executive Summary: WTAP (continued)

1. Providing two sign-up periods— fall and spring.
2. Implementing a fixed price-point strategy based directly on historic consumptive water use
3. Incorporating additional resolution to “partial water right” enrollments.
4. Providing more definition to the procedure of adding target areas
5. Clarifying interagency roles and responsibilities

Simultaneously, the Division of Water Resources' chief engineer approved the designation of six additional high priority areas in Northwest Kansas GMD No. 4. During the fall 2008 enrollment period, SCC received a total of 41 applications representing \$9,799,400 in competitive bids— 3 from the Rattlesnake Creek and 38 from GMD No 4 high priority areas. In that regard, SCC is currently processing and finalizing contracts on 14 application for \$2.1 million in funds still available under the governor's reduced fiscal year 2009 budget adjustments. These applications represent approximately 3,900 acre-feet of annual appropriation that will be permanently retired and also net a reduction to targeted streams and aquifers of approximately 1,582 acre-feet of historic consumptive water use.

Other GMDs and local entities have shown interest in having additional WTAP target areas designated by the chief engineer. SCC is working with DWR and KWO to facilitate these requests.

**Approximately 3,900  
acre-feet of annual  
appropriation has  
been retired in fall  
2008.**



**WTAP targeted areas**

# Middle Arkansas Newsletter

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## CREP Benefits Landowners and Aquifer Resources

Courtesy of Kansas Water Office

Sign-up continues for the Conservation Reserve Enhancement Program, an innovative approach to conserving and extending the life of the Ogallala aquifer. The voluntary enrollment water conservation program, a partnership between USDA and Kansas, applies to the Arkansas River corridor from the Kansas-Colorado line to just east of Great Bend. Farmers have until June 30, 2009 to enroll acreage until the 20,000 acre program is filled.

Known by its acronym, CREP, the Conservation Reserve Enhancement Program provides annual rental payments from USDA and state upfront incentive payments and conservation practice cost-share to participating farmers. In turn, landowners permanently retire the water right on their enrolled land. The federal-state program is administered by the USDA Farm Service Agency and the State Conservation Commission with technical assistance provided by the Natural Resources Conservation Service.

CREP works much like the popular Conservation Reserve Program (CRP) and provides the same significant benefits including enhanced wildlife habitat, soil cover, water quality protection and recreational opportunities.

The program also provides one other critical long-term benefit permanent groundwater conservation, says Greg Foley, executive director of the State Conservation Commission, the agency responsible for administering the state portion of the program. To date, about 13,000 acre-feet of annual water rights have been permanently retired from the yearly water demands in the basin. That alone is enough to supply the yearly needs of communities the size of Garden City or Dodge City well into the future.

CREP has been especially helpful to producers in our westernmost counties. Fragile soils in the region are highly susceptible to wind erosion. Limited irrigation will be needed for a few years to establish permanent vegetative cover while still protecting the remaining groundwater resources.

"The program affords a tremendous opportunity for these counties," says Foley. "There is more demand in some areas than the program can currently allow."

Most of the funding for CREP comes from USDA— more than \$30 million at the current project limit of 20,000 acres. The federal payments are an allocation from a previous authorization under the 2002 Farm Bill. If Kansas did not have CREP, the authorized acres and associated federal dollars would have been assigned to another state.

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*Continued on page 5*

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## CREP Benefits Farmers and Aquifer Resources (continued)

Kansas' payments to CREP enrollees come from a damage award Colorado paid to Kansas for past violations of the Arkansas River Compact. Funding for CREP was approved by the Kansas Legislature to leverage the state's financial resources while judiciously using the Kansas v. Colorado lawsuit proceeds. The money is being directed to the same areas that suffered years of river and aquifer depletion due to Colorado's overuse of water.

While there isn't enough money to buy our way out of the groundwater depletion in western Kansas, CREP serves as an important stimulus in the program area. It is only one part of an overall approach to conserve and extend the life of the Ogallala-High Plains aquifer. Given that the program has been in place for less than a year, it's too soon to measure its success.

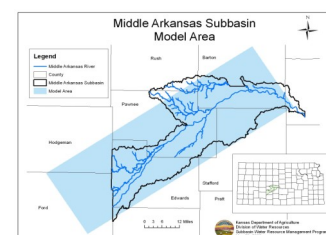
"To have a successful plan, we need to blend regulation, education and voluntary programs, as all are vital to help manage our water resources," Foley says. "Wise management of our natural resources while keeping families on the land will keep our Kansas economy strong and vibrant."

***"To have a successful plan, we need to blend regulation, education and voluntary programs, as all are vital to help manage our water resources," Foley says. "***

## Middle Arkansas Project Update

By Tina Alder

On December 10, 2008, Subbasin Water Resource Management Program (SWRMP), hosted a public meeting in Larned, Kansas to review the results of the Middle Arkansas Groundwater Model with local stakeholders. David Barfield, chief engineer, presented the model results and took questions from the audience. SWRMP and Big Bend GMD No. 5 co-hosted a presentation from Steve Frost, State Conservation Commission on Water Transition Assistance Program (WTAP) and the Conservation Reserve Enhancement Program (CREP). We plan to continue working with local stakeholders in developing management alternatives for the area. This will be conducted primarily through the Big Bend GMD No. 5 and the district-wide modeling efforts they are leading. We will be running various future scenarios and will provide the results and other data requested by the stakeholders at future meetings. We will likely host public meetings in the area on a quarterly basis.



**Middle Arkansas Model Area**

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### SWRMP Mission Statement

To analyze aquifers and stream systems in targeted areas and work with stakeholders to develop and assess strategies to protect water rights and improve hydrologic sustainability.

The program uses a five-phase process that includes:

- Initiating the project
- Analyzing and educating
- Evaluating alternatives
- Making recommendations
- Implementation

Visit <http://www.ksda.gov/subbasin/> to learn more about the process.

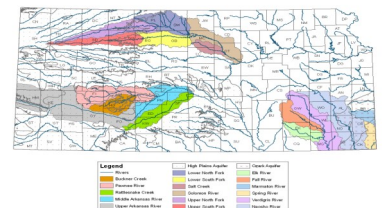
## Subbasin Water Resource Management Program

The SWRMP provides biannual publications with the latest news and events for each of the targeted project areas. Targeted areas currently include Upper and Middle Arkansas River subbasins, Pawnee-Buckner, Rattlesnake Creek, Solomon River Basin, Ogallala-High Plains aquifer and the Ozark Plateau aquifer systems. To sign up for these bi-annual publications, visit our website at [www.ksda.gov/subbasin/mailling\\_listid](http://www.ksda.gov/subbasin/mailling_listid).

The newsletters are distributed electronically or can be viewed online.

In addition, the Division of Water Resources publishes a newsletter quarterly and provides information on Kansas' water resources.

You can view current or past newsletters online at [www.ksda.gov/dwr/](http://www.ksda.gov/dwr/).



SWRMP Targeted areas